

Appl. No.: 10/691,420
Amdt. dated June 23, 2005
Reply to Office Action of April 18, 2005

REMARKS/ARGUMENTS

Rejection Of Claims On Formal Matter

Claim 4 is rejected under 35 U.S.C. 112, second paragraph.

Claim 4 is amended to be dependent on claim 3 instead of claim 43. Reconsideration of the rejection under 35 U.S.C. 112 is respectfully requested in view of the amendments made.

Rejection Of Claims Over Prior Art

Claims 1-4, 8-12 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Cole (1,889,823). Claims 1-12, 27 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Langford (1,659,776). Claims 32-34 and 36-42 are rejected under 35 U.S.C. 102(b) as being anticipated by Battersby (4,274,275).

Independent claim 1 is amended to include, inter alia, that "when the first and second members are in the first relative position, the first deforming end of the first deforming portion is closer to the second deforming portion than the second deforming end of the first deforming portion is to the second deforming portion such that the deformable material is curved in a plane substantially perpendicular to the first direction".

US 1,889,823 discloses a tire mold manufacture for forging main parts or side pieces of steel molds used in making rubber tires. US 1,889,823 does not disclose or suggest having at least the above-mentioned feature of claim 1.

US 1,659,776 discloses a method of treatment of worn rail joints. US 1,659,776 does not disclose or suggest having at least the above-mentioned feature of claim 1.

At least for these reasons, Applicants respectfully submit that claim 1 and its dependent claims are novel over the cited art.

Independent claim 32 is amended to include a corresponding feature as defined in new claim 1, inter alia, that "wherein during the deforming, one of the two edges of the deformable material member is compressed more than the other of the two edges of the deformable material member such that the deformable material is curved in a plane substantially perpendicular to the first direction".

US 4,274,275 discloses a method of forming a corrugated annulus which consists a number of radial folds extending from one edge of the strip to the other, the radial folds being of variable depth decreasing from the inner to the outer periphery of the formed annulus. US 4,274,275 does not disclose or suggest having at least the above-mentioned feature of claim 32.

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At least for these reasons, Applicants respectfully submit that claim 32 and its dependent claims are novel over the cited art.

There is neither any suggestion in the cited document nor any incentive to modify the cited disclosure to arrive at the claims of the present invention. Applicants respectfully submit that claims 1-43 are inventive over the cited art.

Conclusion

Applicants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.36(a), and any fees required are hereby charged to Conley Rose, P.C.'s Deposit Account Number 03-2769/2060-02200.

Respectfully submitted,



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